

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THOMAS FLEMINGS,)	
)	Civil Action No. 1:13-cv-285
Plaintiff,)	
)	
v.)	Judge Cathy Bissoon
)	Magistrate Judge Susan Paradise Baxter
DEPARTMENT OF CORRECTION)	
)	
Defendant.)	

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on September 11, 2013 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rule 72 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation (ECF No. 2), filed on October 2, 2013, recommended that the Motion for Leave to Proceed In Forma Pauperis (ECF No. 1) be granted, and that the Complaint be dismissed with prejudice pursuant to the screening provisions of the Prison Litigation Reform Act. Plaintiff was allowed fourteen (14) days from the date of service to file objections. Service was made on Plaintiff and no objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 23rd day of October, 2013;

IT IS HEREBY ORDERED that the Motion for Leave to Proceed In Forma Pauperis (ECF No. 1) is GRANTED.

IT IS FURTHER ORDERED that the Complaint is DISMISSED with prejudice pursuant to the screening provisions of the Prison Litigation Reform Act.

The Report and Recommendation (ECF No. 2) of Magistrate Judge Baxter, filed on October 2, 2013, is adopted as the opinion of the Court.

The clerk is directed to mark the case closed.

IT IS SO ORDERED.

October 23, 2013

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via First-Class U.S. Mail):

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